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## SENATE RESOLUTION

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WHEREAS, On May 4, 2000, the Governor of the State of Illinois issued Executive Order No. 4 that created the Governor's Commission On Capital Punishment; and

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WHEREAS, The duties of the Commission were: (1) to study and review the administration of the capital punishment process in Illinois to determine why that process has failed in the past, resulting in the imposition of death sentences upon innocent people; (2) to examine ways of providing safeguards and making improvements in the way law enforcement and the criminal justice system carry out their responsibilities in the death penalty process from investigation through trial, judicial appeal, and executive review; (3) to consider, among other things, the ultimate findings and final recommendations of the House Death Penalty Task Force and the Special Supreme Court Committee on Capital Cases and determine the effect these recommendations may have on the capital punishment process; and (4) to make any recommendations and proposals designed to further ensure that the application and administration of the death penalty in Illinois is just, fair and accurate; and

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WHEREAS, In April 2002, the Commission issued its recommendations; and

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WHEREAS, Recommendation No. 51 was among the Commission's recommendations and provided that whenever the State may introduce the testimony of an in-custody informant who has agreed to testify for the prosecution in a capital case as to a statement allegedly made by the defendant, at either the guilt or sentencing phase, the State should promptly inform the defense as to the identification and background of the witness; and

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WHEREAS, Section 16 of Article VI of the Illinois

1 Constitution vests general administrative and supervisory  
2 authority over all courts in the Supreme Court of Illinois;  
3 and

4 WHEREAS, In accordance with this authority, the Illinois  
5 Supreme Court has adopted rules governing trial procedure in  
6 criminal cases; and

7 WHEREAS, The adoption of Commission Recommendation No. 51  
8 by the Illinois Supreme Court would serve the best interests  
9 of the Illinois criminal justice system; therefore, be it

10 RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL  
11 ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois  
12 Supreme Court to adopt Recommendation No. 51 of the  
13 Governor's Commission On Capital Punishment; and be it  
14 further

15 RESOLVED, That a suitable copy of this Resolution be  
16 presented to the Honorable Mary Ann McMorrow, Chief Justice  
17 of the Illinois Supreme Court.